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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID ALLEN KNIGHT,)	
)	Case No.: 3:21-cv-0222-CLB
Plaintiff,)	
)	STIPULATION TO VOLUNTARY REMAND
vs.)	PURSUANT TO SENTENCE FOUR OF 42 U.S.C.
)	§ 405(g)
KILOLO KIJAKAZI, ¹)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) to offer Plaintiff the opportunity for a hearing and to issue a new decision. The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Respectfully submitted,

Date: February 28, 2022

/s/ *Marc V. Kalagian
By: MARC V. KALAGIAN
(*authorized by email on February 28, 2022)
Attorney for Plaintiff

Date: February 28, 2022

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Daniel P. Talbert
DANIEL P. TALBERT
Special Assistant United States Attorney

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: March 1, 2022

CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 160 Spear Street, Suite 800, San Francisco, California 94105. I am not a party to the above-entitled action. On the date set forth below, I caused service of the foregoing **STIPULATION TO VOLUNTARY REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g)** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing:

Marc V. Kalagian
marc.kalagian@rksslaw.com
Leonard Stone
lstone@shookandstone.com
Attorneys for Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 28, 2022

/s/ Daniel P. Talbert
DANIEL P. TALBERT
Special Assistant United States Attorney